

FINDING OF NO SIGNIFICANT IMPACT (FONSI)
Fort Mason Center Long-term Lease
National Park Service, U.S. Department of the Interior
Golden Gate National Recreation Area

INTRODUCTION

Located in northern San Francisco on the San Francisco Bay, Fort Mason is part of the San Francisco Port of Embarkation National Historic Landmark District, historically serving as a major point of embarkation for American troops. In 1972, the U.S. Army transferred responsibility for its maintenance, restoration, and use of the long-time military base to the National Park Service (NPS) as part of the Golden Gate National Recreation Area (GGNRA). By 1975, it became apparent that the unoccupied structures of Fort Mason were subject to vandalism and deterioration and the GGNRA lacked the funds and expertise to restore and develop Fort Mason to meet the standards required by the National Historic Preservation Act (NHPA) of 1966.

At the same time, nonprofit groups expressed an interest in moving to the lower part of Fort Mason, and the Fort Mason Foundation (FMF), a private nonprofit organization, was created by San Francisco civic and business leaders to negotiate with the NPS on behalf of the nonprofit community. A cooperative agreement was entered into by the NPS and the FMF, whereby the NPS provides the buildings rent-free and the FMF renovates and maintains the area, as well as develops and administers the Fort Mason Center (FMC) at the lower part of Fort Mason. In addition, FMF committed to provide cultural, recreational, and educational programs to the public at minimum or no cost in accordance with NPS's GGNRA General Management Plan. Since that time, FMC has supported a diverse range of nonprofit organizations that focus on the visual and performing arts, humanities, education, ecology, and recreation. FMC houses nearly 40 nonprofit organizations and is the setting for more than 15,000 meetings, conferences, performances, and special events attended by 1.6 million visitors each year.

The original agreement between the NPS and FMF expired in 1984 and was replaced by another agreement that expires in 2004. In order to maintain FMC's cultural, recreational, and educational focus and to protect the integrity of FMC as part of the San Francisco Port of Embarkation National Historic Landmark District, the GGNRA obtained authorization to negotiate a long-term lease for up to 60 years with the FMF based upon its record of success. FMF and NPS have prepared an environmental assessment (EA) that evaluates the potential environmental effects of the Fort Mason Center long-term lease.

Purpose of Action

The purpose of the proposed action is to allow the continued operation of the FMC to meet the objectives identified in FMF's mission statement and the 1980 General Management Plan prepared by the NPS for the GGNRA: to create and preserve a cultural, educational, and recreational center, which reflects the unique history, talents, and interests of the people of the Bay Area in partnership with the National Park Service.

Need for Action

Absent the proposed long-term lease, the responsibility for seismic upgrading of the buildings, utility improvements, historic preservation, and restoration of the building exteriors will continue to reside with the NPS. The NPS, due to other priorities and funding limitations, cannot devote the funding or resources necessary to ensure that needed projects for the long-term maintenance and upkeep of FMC are undertaken. The NPS seeks to enter into a lease with FMF to ensure that:

The existing historic structures are restored, preserved and maintained for visitors;

The National Historic Landmark District retains its integrity;

The partnership with the FMF is maintained; and

The visitor experience and recreational, educational, and cultural programs envisioned in its General Management Plan are continued and expanded.

ALTERNATIVES EVALUATION

The NPS and FMF evaluated two project alternatives:

Extension of the existing cooperative agreement only (the No Action Alternative); and

Entering into a new long-term lease for up to 60 years (the Selected Alternative).

NPS and FMF considered three additional alternatives, but dismissed these from further consideration. Proposals for a new cooperative agreement, lease negotiations between NPS and organizations other than FMF, and development of a new park at an alternative site were dismissed from further consideration due to infeasibility or failure to meet project objectives.

No Action Alternative

Under the No Action Alternative, the responsibilities for maintenance, upkeep, and rehabilitation between the NPS and FMF would remain unchanged. NPS would remain responsible for the maintenance and upkeep of historic structures at FMC. As previously mentioned, given the limited budget for activities at Fort Mason, it is not anticipated that NPS would be able to adequately maintain or restore the historic buildings.

Selected Alternative

The Preferred Alternative presented in the EA and the Selected Alternative are the same, without changes or modifications. Under the Selected Alternative, the FMF would continue to manage FMC as it has since 1977. However, the lease term would be longer than the current cooperative agreement, which was for 20 years, and would shift some responsibilities from the NPS to FMF. Most notably, the long-term lease would shift responsibility for parking management and full building maintenance, excluding the substructures of the piers and Building E, from the NPS to FMF and allow FMF to renovate and use Pier One. The seawall/retaining wall is managed as a contributing element to the San Francisco Port of Embarkation National Historic Landmark District, regardless of the outcome of lease negotiations. The final lease term will be determined in the lease negotiation between NPS and FMF and is subject to the approval of NPS' Regional Director. The NPS will announce the signing of the lease, including lease

duration, at the next regularly scheduled GGNRA public meeting following the signing of the lease. The item will be included as part of the Superintendent's report to the public.

The long-term lease would allow FMF to continue operating the FMC and to invest in needed facilities, enable FMF to undertake financing and fund raising, allow the use of Pier One for programs and activities, and ensure that the National Historic Landmark District is protected through the ongoing use and rehabilitation of the structures. More specifically, a long-term lease makes it possible for the FMF to more effectively fundraise in the philanthropic community and borrow money from lending institutions since the lease can be used as an assurance and incentive for donors and as collateral for those providing financial backing. Currently, under the cooperative agreement, the NPS can withdraw the right of FMF to use the FMC buildings at any time. While this is highly unlikely, given the lengthy and positive partnership, it does create a level of uncertainty and would be an unacceptable condition for financial institutions and undesirable for philanthropic entities.

Implementation of the long-term lease agreement makes more feasible the funding of seismic upgrades, building restoration, and utility upgrades identified in a 1999 Campus Assessment. The impacts of these projects were not evaluated in the EA and will be subject to additional environmental analysis. Specific projects that have been identified as a priority when funding becomes available include:

- Restoration and rehabilitation of the Pier Two substructure (underway in spring 2003)

- Restoration and rehabilitation of the Pier Two shed

- Seismic retrofit and structural repair of the substructures of Piers One and Three

- Rehabilitation of the Pier One shed

- Rehabilitation of the Pier Three shed

- Seismic retrofit of Buildings A through D, the Gatehouse, and Guardhouse

- Implementation of new facilities standards for interior and exterior improvements

- Utility infrastructure upgrading

- Implementation of parking management

- Ongoing upgrading of venues and resident spaces

In addition to the long-term lease, the Selected Alternative proposes changes to the way that site improvements are reviewed for potential effects on the National Historic Landmark District. Existing regulations and processes established to preserve the historic integrity of the FMC include Section 106 of the National Historic Preservation Act (NHPA), the Secretary of the Interior's Standards for Rehabilitation, and the GGNRA 1992 Section 106 Programmatic Agreement. The 1992 Section 106 Programmatic Agreement lists categorically excluded undertakings that can be reviewed locally by Golden Gate historic preservation professionals without going through full Section 106 (NHPA) consultation. While these Categorical Exclusions provide a broad range of undertakings that can be reviewed internally, they do not provide clear distinction between low impact activities and more complicated rehabilitation efforts. Activities within the Categorical Exclusions of the Section 106 Programmatic Agreement are subject to the same review processes. The Selected Alternative includes streamlining the Section 106

review process under a new Section 106 Programmatic Agreement that would divide undertakings at FMC into three classes:

1. Routine, repetitive, or minor maintenance activities, such as repainting the same color, replacing a broken window or graffiti removal
2. Occasional more invasive maintenance repair and rehabilitation activities, such as structural stabilization and other rehabilitation for interior tenant improvements
3. Major repair and rehabilitation projects, such as seismic upgrades that might include adverse effects or rehabilitation for adaptive use of Pier One

Under the new Section 106 Programmatic Agreement, the first class of activities would require subject matter input from a Golden Gate historic preservation professional on an annual workplan, approved standards, or other program level review but would no longer require the individual, in-park review. The second class, depending on the extent of the maintenance activity, may be subject to the 5X review. The third class of undertakings that have the potential for adverse effects as defined by Section 106 would require additional consultation with the State Historic Preservation Office and the Advisory Council on Historic Preservation and other interested parties at specific points in the project design process.

ENVIRONMENTALLY PREFERRED ALTERNATIVE

Definition

The environmentally preferred alternative is the alternative that will promote the national environmental policy expressed in NEPA (Section 101(b)). This alternative would:

- Fulfill the responsibilities of each generation as the trustee of the environment for succeeding generations;
- Ensure for all generations safe, healthful, productive, and aesthetically and culturally pleasing surroundings;
- Attain the widest range of beneficial uses to the environment without degradation, risk of health or safety, or other undesirable or unintended consequences;
- Preserve important historic, cultural, and natural aspects of our national heritage and maintain, wherever possible, an environment that supports diversity and variety of individual choice;
- Achieve a balance between population and resource use that will permit high standards of living and a wide sharing of life's amenities; and
- Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

The NEPA Council on Environmental Quality explains that the environmentally preferred alternative is “the alternative that causes the least damage to the biological and physical environment; it also means the alternative which best protects, preserves, and enhances historic, cultural, and natural resources.” According to the NPS NEPA Handbook (DO 12), through identification of the environmentally preferable alternative, the NPS decision-makers and the public are clearly faced with the relative merits of choices and must clearly state through the decision-making process the values and policies used in

reaching final decisions. The NPS may also consider the No Action Alternative in identifying the environmentally preferred alternative.

Identification of Environmentally Preferred Alternative

The Selected Alternative is the Environmentally Preferred Alternative. The No Action Alternative would allow limited construction activities at FMC based on its revenues, funds that FMF could raise through grants and other contributions and resources provided by the NPS. Construction-related impacts could occur but are expected to be limited as reported in Chapter 4 of the EA. Historic structures would continue to deteriorate, absent a funding mechanism to remedy deferred maintenance or undertake seismic retrofits. Already some structures are vulnerable, and continued deterioration could make restoration difficult or impossible. The Selected Alternative, by contrast, is more likely to maintain the integrity of the San Francisco Port of Embarkation National Historic Landmark District for the future, by facilitating rehabilitation at FMC including the seismic upgrade of Pier One, the maintenance of historic structures, and utility upgrades. The Selected Alternative would rehabilitate important components of the historic landmark district as well as increase waterfront recreational, educational, and cultural opportunities. The 1980 General Management Plan called for the restoration of the pier sheds to display the cultural diversity of the San Francisco Bay Area's communities, educate the public about the San Francisco Bay marine ecology, and house large special events and community organizations. The Selected Alternative would better achieve the objective of permitting high standards of living and a wide sharing of life's amenities. Based on the NPS NEPA Guidelines, and the policies and principles of Section 101 of NEPA, the Selected Alternative is identified as the environmentally preferred alternative. The Selected Alternative would attain the widest range of beneficial uses of the environment, including historic preservation and visitor experience, without long-term degradation of resources. In addition, it would "preserve important historic, cultural, and natural aspects of our national heritage and maintain, wherever possible, an environment that supports diversity and variety of individual choices."

PUBLIC INVOLVEMENT

FMF, in partnership with the NPS, sought to obtain input from the public, other agencies, and environmental organizations throughout the environmental review process. On March 1, 2003, the NPS sent a scoping notice announcing its intention to prepare an EA for the Fort Mason Center Long-Term Lease and to hold a public scoping meeting to determine the scope of impact topics and alternatives to be addressed in the EA (see Appendix A of the EA). The public meeting, held on March 18, 2003, introduced the proposal and invited comments on the planning and environmental review process. Interested parties were encouraged to provide comment on the project through April 16, 2003. Two members of the public spoke at the scoping meeting in favor of the lease. In addition, two written comments, both from resident organizations of the FMF, were received. Without specifically mentioning the lease, one letter opposed implementation of paid parking at the FMC for both visitors and staff, and a second letter fully supported the Fort Mason Center Long-Term Lease.

NPS staff conducted internal scoping to identify and evaluate potential impacts from the Selected Alternative. The project was presented to the GGNRA Project Review Committee on three occasions to solicit comments and identify impacts.

CONSULTATION

Prior to preparation of the EA, the FMF and NPS sent out eight agency consultation letters to solicit comments regarding the proposed action (see Appendix B of the EA). The agencies were then contacted via telephone to ensure that the letters had been received and to answer questions from agency staff. Agencies were requested to provide written comment by May 24, 2003, and these comments were reflected in the EA. Comment letters were received from the California Department of Fish and Game (CDFG) on May 23, 2003; U.S. Fish and Wildlife Service (FWS) on May 16, 2003; and San Francisco Bay Conservation and Development Commission (BCDC) on June 9, 2003. The comments focused on three topics: (1) consistency of the project with the *San Francisco Bay Plan*, McAtteer-Petris Act, and other applicable regulations; (2) effects of the project, namely, potential seismic retrofit of Piers One and Three, on San Francisco Bay water quality; and (3) effects of the project, namely seismic retrofit of Piers One and Three, on marine life in the project vicinity. Other agencies contacted included the San Francisco Regional Water Quality Control Board, California Department of Boating and Waterways, California Coastal Commission, California State Historic Preservation Office, National Marine Fisheries Service, and U.S. Army Corps of Engineers. These agencies did not provide written comment on the EA.

Approximately 140 copies of the EA were mailed to appropriate agencies and interested parties during the public review period (see Appendix C of the EA). Five comment letters on the project were received during the public review period. Letters were received from the San Francisco BCDC (requesting a consistency determination), San Francisco Municipal Railway (providing editorial corrections regarding transit terminology and MUNI transit line descriptions), the State Clearinghouse (no comment), California Department of Transportation (no comment), and Performing Arts Workshop (indicating support for the long-term lease). Alma Robinson, President of the Fort Mason Center Resident Organizations, spoke at the public meeting in favor of the proposed lease but was concerned about the effects of paid parking. In addition to the above efforts to solicit public input, the NPS and the FMF met with the San Francisco BCDC on August 28, 2003. The intent of the meeting was to present the purpose and need for the proposed long-term lease, consistency with BCDC's Bay Plan, and to discuss BCDC's interests. BCDC's preliminary comments received at the meeting were incorporated into their comment letter on the EA. The NPS submitted a consistency determination for the project on October 28, 2003 and requested that the BCDC concur that the proposed project is consistent with the Commission's Amended Management Program for the San Francisco Bay segment of the California coastal zone. On February 10, 2004, BCDC sent the NPS a letter of conditional concurrence for this consistency determination. The Letter of Concurrence contains conditions requiring the NPS to: 1) submit a copy of the final lease agreement with the FMF for Commission staff review for consistency with the lease described in the environmental document and with the consistency determination submitted on October 28, 2003; 2) submit to, and receive approval from, the Commission on a consistency determination for the seismic retrofit of the Pier One substructure and pile-supported pier; 3) maintain public access on all pier aprons during daylight hours; and 4) submit a parking traffic plan to Commission staff for review and comment, and if determined necessary by or on behalf of the Commission, submit a consistency determination for the parking plan. The NPS accepts the conditions listed in the consistency determination and will incorporate them into the project.

PUBLIC REVIEW

The EA was circulated for public review on August 8, 2003 and the public review period for the EA closed on September 22, 2003. Notice of the EA availability and the EA were posted on the National Park Service (NPS) website at <http://www.nps.gov/goga/admin/planning/foma-ea.htm> and approximately 1,300 mailers were distributed to public agencies, interest groups, organizations and individuals associated with NPS, to announce a public meeting to receive public comments. Approximately 140 copies of the EA were distributed to agencies and individuals. The EA was also sent to the San Francisco Public Library and the J. Paul Leonard Library at San Francisco State University. A public meeting to discuss the EA and accept public comment was held on September 9, 2003. As previously mentioned, in addition to the comments made at the public meeting, five comment letters on the project were received during the public review period.

WHY THE SELECTED ALTERNATIVE WILL NOT HAVE A SIGNIFICANT EFFECT ON THE HUMAN ENVIRONMENT

Impacts that may be both Beneficial and Adverse

The Selected Alternative would have effects during construction. Construction projects, such as renovation of Pier One, retrofit of Piers One and Pier Three substructures, and seismic upgrades of other buildings, could disturb air quality, water quality, aquatic life, benthic habitat, historic resources, scenic resources, transportation, hazardous substances, visitor use and experience, and resident organizations and businesses. Moreover, increased activities and events under the Selected Alternative could increase parking and noise impacts on the neighboring Marina District. The intensity and duration of these adverse effects would be mitigated by measures identified previously under "Mitigation Measures." In addition, mitigation measures included in the Pier 2 EA and permit conditions for the Pier Two seismic retrofit may be applicable to the retrofit of Piers One and Three. If the construction method or techniques for the retrofit of Piers One and Three differ substantially from the Pier Two work, such that these measures may not afford the same assurance of reducing adverse effects, then additional NEPA documentation and measures may be warranted.

The Selected Alternative would also have long-term, moderate beneficial effects on the human environment. These beneficial effects include improving public safety (by strengthening Piers One and Three and other FMC structures to resist lateral forces in an earthquake); enhancing visitor experience (by opening Pier One which would create more waterfront recreation venues); preserving the historic integrity of the site (by raising funds to help finance building code compliance and remedy deferred maintenance); and improving vehicular circulation and access (by creating a funding mechanism to finance transportation improvements).

Degree of Effect on Public Health and Safety

The Selected Alternative would have a positive effect on public health and safety, by increasing the likelihood of retrofitting the substructures of Piers One and Three and other FMC structures to withstand the effects of an earthquake. In addition, the entrance area to FMC is complex and can be confusing to motorists unfamiliar with the site. Site lighting, pavement markings, and channelization of the parking lots

are needed to improve circulation and public safety. These circulation and safety recommendations are contained in a Wayfinding and Signage Program commissioned by FMF, but the lack of funds precludes or delays implementation of these recommendations. The Selected Alternative creates a fundraising mechanism that increases the likelihood for these improvements, resulting in a further beneficial public health and safety effect.

Unique Characteristics of the Geographic Area such as Proximity to Historic or Cultural Resources, Park Lands, Prime Farmlands, Wetlands, Wild and Scenic Rivers, or Ecologically Critical Areas

The geographic area of the proposed action, the FMC, and its broader geographic context, the San Francisco Bay, possess a variety of unique characteristics:

The FMC is part of the San Francisco Port of Embarkation National Historic Landmark District;

San Francisco Bay supports special-status species and important commercial species; and

The FMC is part of the GGNRA.

The Selected Alternative would not diminish the integrity of the National Historic Landmark District, because it provides for improvements that are designed to minimize harm and ensure that the historic integrity is maintained. In addition, the new Section 106 Programmatic Agreement would define specific review timeframes by the historic resource agencies to better ensure historic preservation of the structures, particularly those needing more extensive repair.

As described in the EA, special-status species, their habitat, and Essential Fish Habitat occur in the vicinity of the FMC. At such time as the Piers One and Three substructures may undergo retrofit, the NPS would consult the National Marine Fisheries Service, in compliance with Section 7 of the Endangered Species Act, regarding the proposed action's potential to affect threatened or endangered species, their habitat, or areas designated as Essential Fish Habitat. The conditions specified by the National Marine Fisheries Service as a result of future consultation, as well as specific measures to avoid herring spawning season and to restrict pile driving activities, presented as mitigation measures in the EA, would serve to reduce potential impacts to water quality and marine life to less than significant.

The FMC is a cultural, recreational, and educational facility within the larger GGNRA. By creating a better mechanism for fundraising and financing, the Selected Alternative would enable improvements to be made that would enhance visitor experience. In particular, the Selected Alternative provides for the restoration of Pier One, which would increase the amount of space available for events and community organizations, and increases the likelihood that recommendations in the Wayfinding and Signage Program, which includes an interpretive program element. Both of these changes at the site would enhance the recreational and educational experience for visitors.

Degree to which Effects on the Quality of the Human Environment are Likely to be Highly Controversial

Efforts were made during the scoping and review period to include interested individuals and agencies potentially affected by the project. At a scoping meeting held on March 18, 2003, two individuals spoke

and two letters were received. In addition, NPS sent letters to eight state and federal agencies with jurisdiction over resources that could be affected by the project alternatives. The EA was circulated for public review, with notice of the EA availability posted on the NPS website and about 1,300 mailers distributed to public agencies, interest groups, organizations and individuals associated with the GGNRA, to announce a public meeting to receive public comments. The public meeting for the project was held on September 9, 2003 at the Fort Mason Center. In addition to the comments made at the public meeting, five comment letters on the project were received during the public review period.

Public and agency interest was focused on parking, consistency with the Coastal Zone Management Act, and support for the project. The two primary issues of concern raised are the potential implementation of paid parking at the FMC and the San Francisco Bay Conservation and Development Commission's (BCDC) request for a consistency determination of the proposed action with the state McAteer-Petris Act and the BCDC *San Francisco Bay Plan*. The NPS and FMF are working with concerned parties to facilitate resolution of the issues. Other comments received at the scoping meeting and during the public review period indicated a support for the long-term lease. Comments did not indicate that effects were controversial.

Plans for implementation of parking fees at FMC have not been finalized and, as stated in the EA and the Transportation Demand Management Plan (Appendix D of the EA), there are many options for structuring a paid parking program and there are options to accommodate short-term visitors and employees without substantially affecting parking supply in the neighboring Marina District. The FMF has stated that plans for imposition of parking fees would not be finalized without further discussions with FMC residents. With respect to the BCDC's request, NPS and FMF have met with the BCDC to discuss the proposed long-term lease and a consistency determination was prepared by the NPS and submitted to BCDC on October 23, 2003.

Degree to which the Possible Effects on the Quality of the Human Environment are Highly Uncertain or Involve Unique or Unknown Risks

The EA identifies the Purpose and Need of the Selected Alternative as enabling the continued viable operation of the FMC for future generations. Over the past 25 years, FMF, in partnership with the NPS, has built an acclaimed recreational and cultural center. A long-term lease would afford FMF a better opportunity to generate revenues, incur debt, and fundraise to preserve, maintain, and operate the Historic Landmark District. The Selected Alternative, thus, provides the NPS and FMF a clear understanding of the future of FMC. Rather than introducing highly uncertain unique or unknown risks, the Selected Alternative would allow greater stability at FMC. Consequently, risks of building failure, spills from ruptured utility lines, pier collapse, and impairment of visitor experience are reduced by the Selected Alternative.

The Selected Alternative increases the likelihood that improvements identified in the 1999 Campus Assessment for FMC will be funded. The EA makes reasonable assumptions about these improvements in order to fully disclose the potential effects. For example, the seismic retrofit for Piers One and Three has been not been designed. The EA states that if the construction method is similar to that currently

being used to retrofit Pier Two, then the nature of impacts and the types of impacts and permit conditions would be comparable to those described in the Pier 2 EA. The Long-Term Lease EA acknowledges that if NPS determines that the renovation of Piers One and Three would be undertaken in a substantially different manner from the Pier Two renovation, additional mitigation measures and/or NEPA documentation may be warranted. For the parking program, the EA indicates that the nature of the impacts would depend on the pricing structure. To disclose potential impacts and reduce the uncertainty about them, the EA describes each of the groups that could be affected by paid parking (i.e., employees, short-term visitors, and long-term visitors) and how the effects vary according to the prices. FMF has indicated its intent to discuss the fee structure with its residents (tenants), and mitigation measures in the EA propose that FMF coordinate such a program with the San Francisco Recreation and Park Department, which manages the adjacent San Francisco Marina and Yacht Harbor, since it is also in the process of considering paid parking and other improvements.

Degree to which the Action May Establish a Precedent for Future Actions with Significant Effects or Represents a Decision in Principal about a Future Consideration

The lease would establish FMF management for a long period at FMC. The Selected Alternative represents a decision that FMF is the right partner for FMC. The Selected Alternative is a long-term lease between the NPS and FMF. It defines a lengthy contractual and financial arrangement between these two entities, meaning that FMF would continue to operate FMC for the foreseeable future, to the exclusion of another party. The benefits of this arrangement are detailed in the EA under the Purpose and Need for the action. Most notably, the Selected Alternative allows the FMF to continue to operate FMC, providing programmatic benefits to the community and making improvements critical for public health and safety and for preservation of the site's historic status. Entering a long-term lease would not establish a precedent for future actions with significant effects. Rather than establishing a precedent, the lease would solidify an existing relationship that has been effective since 1977.

The Selected Alternative represents a decision in principal that signals the NPS's desire to continue the partnership with FMF. Once a long-term lease is negotiated, it would foreclose consideration of a different operating arrangement or a different entity. Both of these options were considered in the EA and determined to be less desirable than the Selected Alternative.

The Selected Alternative enables FMF to fundraise and make improvements at FMC more likely. These future improvements could affect historic and cultural resources, but the improvements would continue to be regulated by a Programmatic Agreement implementing Section 106 of the Historic Preservation Act. The future improvements could affect the use and function of FMC, but they would continue to be governed by the GGNRA General Management Plan. Finally, the future improvements could affect the marine life or water quality, but they would be subject to conditions and permits from other federal resource agencies. Consequently, future improvements that could result from the Selected Alternative would not be expected to cause a significant effect.

Whether the Action is Related to Other Actions with Individually Insignificant but Cumulatively Significant Impacts

The Council on Environmental Quality (CEQ) regulations implementing NEPA defines a cumulative impact as "...the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (federal or non-federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time" (CEQ §1508.7).

The EA considered projects and actions that could contribute to the cumulative effects of the Selected Alternative including on-going maintenance activities at Fort Mason, various projects along the northern waterfront of San Francisco but outside Fort Mason, and projects occurring within the San Francisco Bay. These other actions include:

- Ongoing capital improvements at the Fort Mason Center;
- Long-term disposal of dredged materials in San Francisco Bay;
- Long-term sand mining within San Francisco Bay;
- Reconstruction of Doyle Drive in San Francisco;
- Execution of the Presidio Trust Implementation Plan for the Presidio;
- Remodeling of the San Francisco City Yacht Harbor (adjacent to FMC); and
- Potential future transit projects, including the extension of the F-Line streetcar service to Fort Mason and development of a ferry terminal at the FMC.

Implementation of the Selected Alternative could contribute to short-term adverse cumulative effects related to air quality, water resources, wildlife and aquatic life, special-status species, hazardous substances, visitor use and experience, noise, traffic, parking, and pedestrian/non-motorized access during construction periods. However, the intensity of these cumulative effects would vary depending on the resource category potentially affected. With mitigation measures for project-specific effects that would reduce the intensity of the cumulative effects, the project's contribution to cumulative effects would be minimal.

Degree to which the Action may Adversely Affect Districts, Sites, Highways, Structures, or Objects Listed on the National Register of Historic Places or May Cause Loss or Destruction of Significant Scientific, Cultural, or Historic Resources

The Selected Alternative would have a beneficial effect on the preservation of the San Francisco Port of Embarkation National Historic Landmark District. The Selected Alternative improves FMF's capability to finance deferred maintenance and major rehabilitation projects. The site is a National Historic Landmark District; modifications to the grounds or structures must receive the review and approval of the cultural resource professionals at NPS. Until the new Section 106 Programmatic Agreement, which is proposed as part of the Selected Alternative, has been signed, the existing 1992 Section 106 Programmatic Agreement would remain in effect. Accordingly, while the new Section 106 Programmatic Agreement is being negotiated, there would be no difference from existing conditions and the current mechanisms to

ensure compliance with Section 106 of the National Historic Preservation Act. The new Section 106 Programmatic Agreement proposes to provide streamlined (and definitive) review times for the class of undertakings that could result in adverse cultural resources impact (e.g., renovation of Pier One and seismic upgrades of Piers One and Three).

Degree to which the Action may Adversely Affect an Endangered or Threatened Species or its Critical Habitat

As described in the EA, special-status species (Chinook salmon, steelhead, double-crested cormorant, California sea lion, harbor seal, and southern sea otter), their critical habitat, and Essential Fish Habitat occur in the vicinity of the FMC. Potential renovation of Piers One and Three could impact marine resources, including species of special concern that could inhabit areas adjacent to the project site. As with the Pier Two seismic retrofit, prior to retrofit of Pier One and/or Pier Three, NPS would be required to initiate an informal Section 7 consultation with National Marine Fisheries Service regarding those projects' potential effect on listed anadromous salmonids and designated critical habitat. In addition, NPS would contact the California Department of Fish and Game to discuss potential impacts to the Pacific herring. Marine resource mitigation measures included in the *Pier 2 at Fort Mason Seismic Retrofit and Structural Repair Project Environmental Assessment*, or equivalent measures developed in consultation with NMFS and the U.S. Fish and Wildlife Service shall be implemented should the renovation of Piers One and/or Three take place during the term of the long-term lease. If the NPS determines that the renovation of Piers One or Three would be undertaken in a substantially different manner from the Pier Two renovation, additional mitigation measures and/or NEPA documentation may be warranted.

Whether the Actions Threatens a Violation of Federal, State, or Local Environmental Protection Law

Implementation of the long-term lease would violate no federal, state or local environmental protection laws. Assessment of the proposed action has been performed pursuant to the National Environmental Policy Act, which requires consideration of environmental protection laws and regulations. Applicable laws have been considered in preparing the EA.

NO IMPAIRMENT OF PARK RESOURCES

The fundamental purpose of the NPS, established by the Organic Act and reaffirmed by the General Authorities Act, as amended, begins with a mandate to conserve park resources and values. Impairment is defined as an impact that, in the professional judgment of the responsible park manager, would harm the integrity of park resources or values, including the opportunities that otherwise would be present for the enjoyment of those resources and values. NPS managers must always, to the greatest degree practicable, seek ways to avoid or minimize impairment to park resources and values. As noted in the EA, implementation of the long-term lease would not impair park resources or values. Rather, the Selected Alternative would enable the FMF to repair and restore buildings experiencing deferred maintenance, to restore Pier One, and to maintain and expand programming and interpretive elements, each of which contributes to the vitality and enjoyment of Fort Mason and the GGNRA.

MITIGATION MEASURES

The EA analyzed the environmental consequences of the project alternatives and focused on seven environmental issues: Visitor Experience, Cultural Resources, Traffic, Consistency with Local Land Use Plans, Urban Quality, Water Quality, and Marine Life. Of the seven topics analyzed fully in the EA, adverse impacts warranting identification of mitigation measures were identified for each topic except Consistency with Local Land Use Plans (for which no adverse consequences were found). A summary of the environmental effects and the mitigation measures is presented below.

MITIGATION MEASURES INCLUDED AS PART OF THE SELECTED ALTERNATIVE

Topic	Mitigation Measure	Responsible Party
Visitor Experience, Air Quality	<p>To reduce effects during the short-term construction, mitigation measures from the Pier 2 EA would be applicable to limit impacts to air and would limit dust emissions that can detract from the visitor experience. These measures include:</p> <ul style="list-style-type: none"> • Cover all trucks hauling soil, sand, and other loose materials, or require all haul trucks to maintain at least two feet of freeboard. • Sweep all paved surfaces at the project construction site daily with water sweepers during dust-creating operations and in locations/routes where dust would be generated as a result of project construction. • Prohibit sweeping surface debris into the bay. • Except for concrete trucks, restrict trucks in queue or receiving or delivering loads from idling for more than five minutes. • Run engines used to propel barges only when necessary to operate the barges. • Require the general contractor and all subcontractors to register all applicable powered construction equipment under the Statewide Portable Equipment Registration Program. 	Contractor and Subcontractors
Visitor Experience, Noise	<p>To reduce effects during the short-term construction, mitigation measures from the Pier 2 EA would be applicable and would limit noise that can detract from the visitor experience. A site-specific construction noise plan will be prepared prior to construction activity that shall identify specific noise control measures to reduce the noise level of affected receptors. These following measures could include:</p> <ul style="list-style-type: none"> • Select equipment capable of performing the necessary tasks with the lowest sound level and the lowest acoustic height possible. • Operate and maintain construction equipment to minimize noise generation. Keep equipment and vehicles in good repair and fitted with “manufacturer-recommended” mufflers. • Provide enclosures for noise-producing stationary sources such as generators. • Identify the proper height, location, and effectiveness of a noise barrier. • Board up the windows at the FMC Landmark Buildings with heavy plywood and seal the edges. 	Contractor and Subcontractors
Cultural Resources	<i>Restrictions on Major Rehabilitation Projects until Adoption of New Section 106 Programmatic Agreement. Until the</i>	NPS and FMF

Topic	Mitigation Measure	Responsible Party
	new Section 106 Programmatic Agreement is adopted, the existing 1992 Section 106 Programmatic Agreement would remain in effect. The 1992 Section 106 Programmatic Agreement covers maintenance and repair activities undertaken by the FMF that would fall into the proposed Class 1 and Class 2 improvements under the new agreement. Under the existing Section 106 Programmatic Agreement, these improvements would continue to undergo the 5X process, which would assure attainment of the historic preservation standards. The Class 3 major rehabilitation projects that would become the responsibility of the FMF under the Selected Alternative are not covered by the existing agreement and require full Section 106 consultation. Major rehabilitation Class 3 projects that could have an adverse effect on an historic resource may not begin until the new Section 106 Programmatic Agreement has been adopted and the Section 106 consultation process for the proposed action completed.	
Cultural Resources	<i>Fundraising and Philanthropic Donations for Historic Preservation.</i> Fundraising efforts by FMF could help defray some of the anticipated costs for upkeep of the Historic Landmark District. The NPS would collaborate with the FMF to maintain an ongoing effort to raise funding in support of correcting deficiencies identified in the 1999 Campus Assessment. Each would be responsible for identifying potential funding sources and grants and jointly establishing an annual workplan for fundraising activities and priorities.	NPS and FMF
Transportation	<i>Enhanced Transportation Demand Management (TDM) Program.</i> FMF operates an effective on-going TDM program. With the eventual growth of activity due to the development of Pier One and the conversion of the FMC parking to pay parking, there is a need to formalize and enhance the TDM program. The FMF has prepared a formal TDM program. The TDM recommendations include a provision of a grace period or an initial period of free parking to accommodate short-term visitors, if parking fees are instituted, in order to reduce the impact of the parking fee on the visitor experience.	Once accepted by the FMF and NPS, the FMF would have responsibility for implementing the recommendations of the TDM program.
Transportation	<i>Parking Lot Improvements.</i> The effectiveness of the existing and future revisions to the TDM program is related to the ability of FMC visitors to easily access the existing FMC parking lots. The existing entrance area and parking lot of FMC should be improved through better signage/wayfinding, roadway and parking lot marking and channelization, and lighting. These improvements should be designed to efficiently serve transit vehicles, pedestrians, bicyclists, and persons with disabilities.	FMF

Topic	Mitigation Measure	Responsible Party
Transportation	<i>Coordination with Other Agencies for Transportation Improvements.</i> Since both the City Yacht Harbor and the Presidio are in the process of considering paid parking and other improvements, the FMF should actively maintain ongoing communication and coordination with these agencies. The implementation of parking pricing at FMC needs to be fully coordinated with these agencies. These agencies should also continue to coordinate their efforts to participate in the upcoming study of the extension of the E/F-line historic trolley and further efforts to develop a ferry passenger service.	FMF
Urban Quality	The construction-related mitigation measures identified to protect visitor experience from dust generation and noise would also reduce effects on Marina District residences and businesses. The Enhanced TDM Program identified to reduce traffic and parking impacts on the Marina District would also help preserve the overall character of the neighborhood. In addition to these measures, the following recommendation would help reduce noise impacts from outdoor activities at FMC.	FMF, Contractor, and Subcontractors
Urban Quality	<i>Restrictions on Amplified Sound Systems.</i> If outdoor events are held with amplified sound systems, the FMF will ensure that the event sponsors direct the speakers to maintain noise levels at the nearest neighbors below 60 dBA.	FMF
Water Quality	<i>Construction Best Management Practices to Control Construction Debris.</i> Effects of construction will be evaluated at the design stage; however, future work will be performed in a manner consistent with the Pier 2 EA mitigation measures, which stipulated that no construction debris enter bay waters, as required by the Regional Water Quality Control Board. The specific means by which this mandate is achieved will be left up to the general contractor with approval and oversight provided by the National Park Service. Means should include best management practices set forth in the California Storm Water Best Management Practices Handbooks, such as the use of vacuum recapture devices during sandblasting and the installation of containment netting, scaffolding, or a false bottom under the pier during demolition activities.	Contractor and NPS
Water Quality	<i>Installation of Barriers to Prevent Surface Runoff.</i> Impermeable barriers or dikes shall be installed at the edge of pier aprons and the adjacent seawall prior to starting construction, to prevent surface runoff from entering bay waters.	FMF

Topic	Mitigation Measure	Responsible Party
Water Quality	<i>Construction Best Management Practices to Control Releases of Water Quality Contaminants.</i> Potential contaminants and erodible materials stockpiled on deck aprons, barges, or within 100 feet of the shoreline shall be covered with tarps during construction, and potential pollutants (e.g., paints, grouting materials, fuels, epoxy resins, etc.) shall be stored with proper containment and outside of areas where contact with stormwater runoff or bay waters could occur.	FMF, Contractor, and Subcontractor
Water Quality	<p><i>Required Permits.</i> Prior to construction, the NPS would need to obtain approvals and/or permits from resource agencies, such as the U.S. Army Corps of Engineers, the Regional Water Quality Control Board, the National Marine Fisheries Service, and the San Francisco Bay Conservation and Development Commission. Applicable permits that protect water quality and that would need to be obtained by NPS include:</p> <ul style="list-style-type: none"> • The U.S. Army Corps of Engineers' Nationwide Permit Program, specifically Nationwide Permit No. 3 (Maintenance) under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act; • The California Regional Water Quality Control Board, San Francisco Bay Region, related to their Conditional Water Quality Certification and Waiver of Waste Discharge Requirements (Section 401 of the Clean Water Act); • The specific conditions of the National Marine Fisheries Service to be set forth as part of the informal Section 7 (Endangered Species Act) consultation process; and • The specific conditions of the San Francisco Bay Conservation and Development Commission, based on concurrence with the NPS's Coastal Zone Management Act consistency determination. 	NPS
Marine Life	<i>Monitoring to Avoid Herring Spawning.</i> Consistent with Pier Two rehabilitation, during the spawning season for Pacific Herring (mid-November through March), a biologist with a background in fisheries shall regularly monitor the site for presence of herring. If herring spawning is occurring in the project area, the aquatic biologist shall contact the NPS, and a range of mitigation measures may be taken to avoid impacting the spawning, including stopping work for up to two weeks, continuing work in other areas, or screening the work area to prevent spawning.	FMF and contracted biologist

Topic	Mitigation Measure	Responsible Party
Marine Life	<i>Restrictions on Pile Driving.</i> If pile driving is necessary for construction in the water or pier restoration work, the contractor shall be required to conduct steel pile driving, if any, between June 15 and October 15 in order to avoid impacts to the migration of federally listed salmon and steelhead.	Contractor
Marine Life	<p><i>Required Permits.</i> Prior to construction, the NPS would need to obtain approvals and/or permits from resource agencies, such as the U.S. Army Corps of Engineers, the Regional Water Quality Control Board, and the National Marine Fisheries Service. Applicable permits that protect marine life and that would need to be obtained by NPS include:</p> <p>The U.S. Army Corps of Engineers' Nationwide Permit Program, specifically Nationwide Permit No. 3 (Maintenance) under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act;</p> <p>The California Regional Water Quality Control Board, San Francisco Bay Region, related to their Conditional Water Quality Certification and Waiver of Waste Discharge Requirements (Section 401 of the Clean Water Act); and</p> <p>The specific conditions of the National Marine Fisheries Service to be set forth as part of the informal Section 7 (Endangered Species Act) consultation process.</p>	Contractor

CONCLUSION

The Selected Alternative is consistent with the Programmatic Agreement implementing Section 106 of the National Historic Preservation Act at the GGNRA, and would not diminish the integrity of the San Francisco Port of Embarkation National Historic Landmark District. The Selected Alternative is not anticipated to adversely affect federally-listed threatened or endangered species known to occur in the project area or designated critical habitat. The Selected Alternative is not likely to adversely affect Essential Fish Habitat protected under the Magunson-Stevens Fisheries Management and Conservation Act. The Selected Alternative is consistent with the Coastal Zone Management Program, as embodied by the McAteer-Petris Act and the San Francisco Bay Plan. The Selected Alternative will also comply with the various applicable sections of the Clean Water Act.

During the project construction period, the Selected Alternative would have short-term adverse effects, the intensity of which could be reduced with implementation of mitigation measures. The Selected Alternative would also have long-term beneficial effects on the quality of the human environment.

Based on the environmental analysis completed, the capacity of the mitigation measures to reduce or avoid impacts, and with due consideration of the nature of public and agency comments, the NPS has determined that the selected alternative would not be a major federal action having the potential to significantly adversely affect the quality of the environment. Thus, in accordance with the National Environmental Policy Act of 1969, as amended, and the regulations of the Council on Environment Quality, an environmental impact statement is not required and will not be prepared for the project.

Recommended:

[Signed by Brian O'Neill on March 3, 2004]

Brian O'Neill, Superintendent
Golden Gate National Recreation Area, National Park Service

Date

Approved:

[Signed by George Turnbull on March 9, 2004]

Jonathan B. Jarvis, Regional Director
Pacific West Region, National Park Service

Date

